COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

OFFICER INVOLVED NON - HIT SHOOTING EVALUATION

UNIT: Century Station

DATE: April 20, 1995

TIME: 1940 Hours

LOCATION: [redacted] block of Mona Blvd., L.A.

URN #: 695-08875-2116-038

IAB #: 008991

NATURE OF INCIDENT:

This shooting occurred after a short vehicle pursuit of a carjacking suspect. The suspect, Samuel Daniel, crashed the stolen Acura he had been driving and ran into a housing project. Deputy Eliezer Vera, a one-deputy unit, had pursued Daniel in his radio car, and when Daniel crashed, initiated a foot pursuit. He was chasing Daniel on foot when the shooting occurred. As Vera chased Suspect Daniel through the housing project, Daniel pointed a handgun at Vera. Vera fired two rounds from his Beretta two separate times during the foot pursuit, for a total of four rounds. The suspect was not struck by any of the rounds. The suspect threw his gun during the foot pursuit. It was not recovered even though an extensive search was made. The fact that the suspect had a gun was substantiated by a 12 year-old boy, who witnessed the foot pursuit and shooting.

COMPLETED BY: Sergeant M. Dunkle **DATE:** May 17, 1995

Internal Affairs Bureau

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT
INCIDENT DATA

WHAT INITIATED INCIDENT

Call [X] Observation [ ] Search Warrant [ ] Arrest Warrant [ ]

LOCATION OF OCCURRENCE

[redacted] Block of Mona Boulevard, Los Angeles

TYPE OF LOCATION

Residence [ ] Business [ ] Industrial [ ] Parking Lot [ ]

Street [ ] Backyard [ ] Freeway [ ] Rural [ ]

Other [X] Interior court area of public housing project

SHOOTING CONDITIONS

DATE	TIME	DAY
04-20-95	1940	Thursday

LIGHTING	WEATHER
Poor. Some light from streetlights.	Clear, cool.

DISTANCE

25 - 30 feet

CONTRIBUTING FACTORS

See narrative.

LOS ANGEL_S COUNTY - SHERIFF'S DEP_RTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME		
VERA, Eliezer		

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy Generalist	[redacted]	Century Station/F.O.R. II

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
Male	Hispanic	6'03"	225	[redacted]	[redacted]

DUTY STATUS	HIRE DATE
Continuing on duty	11-23-88

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
Yes	No	No	Yes

INJURED	DECEASED	CORONER'S CASE NO.
No	No	

DESCRIPTION OF INJURIES
None

WAS THE DEPUTY IMMEDIATELY REMOVED FROM THE SCENE? YES [X] NO [ ]

WAS THE DEPUTY SEQUESTERED PRIOR TO THE INTERVIEW? YES [X] NO [ ]

WHERE? Century Station

SUPERVISED BY: Deputy D. Smith

WEAPON USED

TYPE	AUTHORIZED
Beretta 92F	Yes

AMMUNITION TYPE	AUTHORIZED
9mm	Yes

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	4	0

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
No	No	

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]

ASSIGNMENT HISTORY		
DATE	**UNIT OF ASSIGNMENT**	**RANK**
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	Deputy Generalist
[redacted]	[redacted]	" "
[redacted]	Lynwood/Century Station	" "

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)		
FILE	**DATE**	**TYPE**
IAB 008363	10-27-94	No hit -- deputy returned fire at gang member after
		traffic stop.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

CLASSIFICATION

ACCIDENTAL:	No
GUN TAKE-AWAY:	No
PERSON(S) ARMED:	One
PERSON(S) UNARMED:	None
STARTLE:	No
UNINTENTIONAL:	No
DEPUTY IN UNIFORM:	[X] RAID JACKET: [ ] PLAIN CLOTHES: [ ]
VEST WORN:	Yes
FOOT PURSUIT:	Yes
VEHICLE PURSUIT:	Yes
MOVING VEHICLE:	No
VEHICLE STOP:	No
TYPE OF HOLSTER:	Department-issue
GUN IN HOLSTER:	No
STRUGGLE INVOLVED:	No

ADDITIONAL FACTS AND INFORMATION:
See summary

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

SUSPECT/SUBJECT

LAST NAME	FIRST NAME	M/I
DANIEL	Samuel	T.

ADDRESS
[redacted]

SEX:	RACE	HEIGHT	WEIGHT	D.O.B.	AGE	DECEASED
Male	Black	5'11"	190	09-09-64	30	No

INJURED	DESCRIPTION OF INJURIES
No	

SUSPECT'S TOXICOLOGY

UNDER THE INFLUENCE
No

TYPE OF SUBSTANCE	LAB TEST CONDUCTED

ARMED	TYPE OF WEAPON
Yes	Semi-auto pistol

NUMBER OF SHOTS FIRED BY SUSPECT	NUMBER OF HITS
None	None

SUSPECT VEHICLE
Stolen 1991 Acura Legend

CRIMINAL HISTORY (ATTACH COPY OF RAPS)
See Attached

SUMMARY OF INCIDENT

This shooting occurred after a short vehicle pursuit of a carjacking suspect. The suspect, Samuel Daniel, crashed the stolen Acura he had been driving and ran into a housing project. Deputy Eliezer Vera a one-deputy unit, had pursued Daniel in his radio car, and when Daniel crashed, initiated a foot pursuit. He was chasing Daniel on foot when the shooting occurred. As Vera chased Suspect Daniel through the housing project, Daniel pointed a handgun at Vera. Vera fired two rounds from his Beretta two separate times during the foot pursuit, for a total of four rounds. The suspect was not struck by any of the rounds. The suspect threw his gun during the foot pursuit. It was not recovered even though an extensive search was made. The fact that the suspect had a gun was substantiated by a 12 year-old boy who witnessed the foot pursuit and shooting.

CASE NUMBER IAB 008833

This shooting occurred after a short vehicle pursuit of a carjacking suspect. The suspect, Samuel Daniel, crashed the stolen Acura he had been driving and ran into a housing project. Witness (Deputy) Eliezer Vera, [redacted], a one-deputy unit, had pursued Daniel in his radio car, and when Daniel crashed, initiated a foot pursuit. He was chasing Daniel on foot when the shooting occurred. As Vera chased Suspect Daniel through the housing project, Daniel pointed a handgun at Vera. Vera fired two rounds from his Beretta two separate times during the foot pursuit, for a total of four rounds. The suspect was not struck by any of the rounds. The suspect threw his gun during the foot pursuit. It was not recovered even though an extensive search was made. The fact that the suspect had a gun was substantiated by a 12 year-old boy, Witness [redacted], who witnessed the foot pursuit and shooting.

Witness [redacted] said he was standing near the inner sidewalk of the housing project with his friends when he heard two shots. He said he started to run away and then saw a "black man" (Suspect Daniel) being chased by a "policeman." He said the suspect was holding a large black gun and that he fired it twice at the ground as he ran. [redacted] said his friends ran to their homes and did not see the Daniel. He does not know what happened to the gun the Daniel had.

Witness Vera said he received an MDT message from the Century desk of a "Carjacking" involving a 1991 Acura Legend, which had just occurred in the City of Lynwood. He said as he began driving toward where the crime had occurred he heard the actual call dispatched, and he was assigned as the assisting unit. The suspect was listed as a black male armed with a nine millimeter handgun.

Witness Vera said he heard in the call that the Acura was last seen westbound on El Segundo Boulevard from Alpine Avenue. He said based on his past experience, he drove toward the Imperial Courts Housing Project to ascertain if the suspect or vehicle was in that area.

Witness Vera said as he drove, he calculated where the suspect vehicle would be with respect to his location, and decided to drive north on Long Beach Boulevard. He said just prior to getting on the Century freeway, he caught a glimpse of a blue Acura and caught up to it at the Wilmington Avenue exit.

Witness Vera said he followed the Acura east from the freeway and checked its license plate via his MDT. He said he followed the Acura into the left turn lane for Mona Boulevard, simultaneously speaking to the Century Desk for further information. Vera said while he was stopped for the red light waiting to turn onto Mona, he noticed a two-deputy unit which was stopped facing north on Mona, south of Imperial Highway.

Witness Vera said the driver, Suspect Daniel, gave no indication of being nervous or concerned about his (Vera's) presence. He said when the light phased to green, they both turned on to Mona and the other radio car also followed. Vera said the Acura accelerated rapidly and swerved around a panel truck which was backing perpendicular to Mona. He said this is when he activated his emergency lights and began to broadcast he was following the stolen Acura.

Witness Vera said the Acura turned immediately into the housing projects, drove over the curb onto the grass, and then crashed into a chain link fence near the sidewalk.

Vera said as Daniel began to get out, he drew his Beretta and pointed it at him from behind his car door. He said as Daniel actually got out of the car and began running, he slipped and fell in a puddle of water. He then got up and ran west into the housing project. Vera said he does not remember seeing Daniel with a gun at this point.

Witness Vera said since he knew the two deputies were behind him, he thought they would broadcast his foot pursuit. He said when he ran after Daniel he was to his right and approximately 25 feet to his rear. Vera said he ran to Daniel's right so as to make it difficult for Daniel to shoot at him over his left shoulder.

Witness Vera said Daniel then turned left (south) onto a north/south sidewalk. He said as Daniel turned the corner, he put his hand somewhere near his waistband area and then turned toward him. Vera said Daniel turned to his left and pointed the gun in his direction but not directly at him. He said because he had not run directly behind Daniel, he was not in his line of sight when Daniel turned toward him with the gun in his hand. Vera said when Daniel pointed the gun, he (Daniel) stumbled. He said, in considering whether or not to shoot, since there was a group of children behind Daniel who were in his (Vera's) field of fire, he chose not to.

Witness Vera said as Daniel continued running south, he began to look over his left shoulder again. Vera said when Daniel did this, he thought that Daniel was about to shoot and if he did, he may hit someone in the group of children they had just run past. He said at this point he fired one round at Daniel and then a second shot two to three steps later.

Witness Vera said Daniel was now in a full sprint and was beginning to run from south, slightly east toward Mona Boulevard. He said Daniel then turned his body to his left and he was again able to see the gun in his right hand. Vera said at this point, he fired two quick shots at Daniel. He said Daniel switched his gun from his right to his left hand and he thought he threw the gun to his left next to a housing unit.

Witness Vera said when he ran by the area where Daniel threw the gun, he saw a group of Black gang members who were standing nearby. Vera said as he ran, he thought that if Daniel began running west, deeper in the housing project, he may have to discontinue his foot pursuit in favor of a containment. He said as Daniel continued running, he could see that the baggy, oversized pants he was wearing were beginning to come down. Vera said as Daniel rounded the corner of a housing unit and began running east, a radio car which was on Mona Boulevard came into view and Daniel slowed momentarily, continued struggling to keep his pants up, and then began running again.

Witness Vera said he was now close to Daniel and was yelling at him to stop but he would not. He said as Daniel ran, he continued to fidget with his pants and he could not see his hands because of it, and thought he may have another gun. Vera said since he was so close to Daniel, and because he was not sure whether or not Daniel had a gun and did not want to shoot an unarmed suspect, he kicked Daniel in the lower back/buttocks area. This caused Daniel to fall to the ground.

Witness Vera said he held Daniel at gunpoint and ordered him to show his hands but he refused and continued to fidget, causing him to think he may still be armed. He said two deputies (Witness Deputies Modica and Moreno) then came from Mona Boulevard and took Daniel into custody. Vera said they checked the area for the gun but were unable to locate it.

Witness Vera said although he knows Witness [redacted] stated that Daniel fired at him, he does not remember seeing a muzzle flash.

Witness (Deputy) Abel Moreno, [redacted] was the passenger in the vehicle which followed Deputy Vera as he pursued the Acura on Mona Boulevard. He stated substantially the same as Vera but added that when Suspect Daniel ran from the Acura, he thought he saw him clutching something in his right hand. Moreno said when Vera ran after Daniel and was just out of his sight, he heard two gunshots. He said he followed Vera and broadcast the foot pursuit. Moreno said Vera was running ahead of him and turned east and out of sight and he then heard two more gunshots. He said he is not sure where Vera fired the second set of rounds from and said that Vera could have fired while he was still southbound and he did not know it because Vera had the gun in front of him, blocking his view when he fired.

Witness Moreno said when he caught up to Vera, Daniel was on the ground being held at gunpoint. He and his partner, Witness (Deputy) Michael Modica, [redacted], then handcuffed Daniel. He said when he and Modica went to handcuff Daniel, both his hands were under him. Moreno said Daniel resisted slightly, and that they pulled his hands from under him. This was the only force that was used.

Witness Modica added that he drove the patrol car south on Mona Boulevard after his partner, Moreno ran after Vera and Suspect Daniel on foot. He said as he drove, he could see Vera through the east/west corridors running southbound. Modica said he drove west on 115th Street and saw Daniel running south toward him on the sidewalk between the housing units. He said he then drove north on Gorman Avenue and then saw Daniel lying on the east/west sidewalk between the housing units to his right. Modica said he then left his vehicle and assisted Moreno in handcuffing Daniel.

Suspect Daniel refused to speak with detectives from Century Station and also with the Internal Affairs Bureau investigators. He is currently in custody on a parole hold and also has pending charges of:

Robbery - 2 counts,
Carjacking,
Ex-felon in possession of a Firearm,
Exhibiting a Firearm at a Peace Officer.

Daniel, based on his criminal record is a "three strikes" candidate.

Three of Vera's four rounds appeared to be accounted for. It is difficult to be certain that the areas believed to be the bullet impact areas are in fact the area his rounds struck. This is due to the fact that there are numerous other indentations which appear to be from stray rounds caused by the illegal shootings which have occurred in the housing area prior to this incident.